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| UTILITY PATENT APPLICATION TRANSMITTAL <small>(Only for new nonprovisional applications under 37 CFR 1.53(b))</small> | Attorney Docket No. | CPC-003CPCN2 |
| | First Named Inventor | Biondi |
| | Title | Ventilator Control System and Method |

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|---|---|
| APPLICATION ELEMENTS | ADDRESS TO: Box Patent Application Assistant Commissioner for Patents Washington, D.C. 20231 |
| 1. <input checked="" type="checkbox"/> Fee Transmittal Form | ACCOMPANYING APPLICATION PARTS |
| 2. <input checked="" type="checkbox"/> Small Entity Status <input type="checkbox"/> Applicant claims small entity status <input checked="" type="checkbox"/> Status established in prior application and is still proper and desired | |
| 3. <input checked="" type="checkbox"/> Specification and Drawings [Total Pages 58] - Written Description - (36 pages) - Claims - (5 pages) - Abstract - (1 page) - Coversheet - (1 page) - Sheets of Drawings - (15 sheets) <input checked="" type="checkbox"/> Formal <input type="checkbox"/> Informal | 8. <input type="checkbox"/> 37 CFR 3.73(b) Statement (when there is an assignee) <input type="checkbox"/> Power of Attorney |
| | 9. <input type="checkbox"/> English Translation Document (if applicable) |
| | 10. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input checked="" type="checkbox"/> Copies of IDS Citations (AA-ABE, BA-BI, and CA-CL) |
| 4. <input checked="" type="checkbox"/> Oath or Declaration [Total Pages 20] a. <input type="checkbox"/> Newly executed (original) b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 17 completed) [Note Box 5 below] | 11. <input checked="" type="checkbox"/> Preliminary Amendment [Total Pages 24] <input type="checkbox"/> Drawings [Total Sheets] <input type="checkbox"/> Letter to Official Draftsperson Including Drawings [Total Pages] |
| | 12. <input checked="" type="checkbox"/> Return Receipt Postcard |
| 5. <input checked="" type="checkbox"/> Incorporation by Reference (usable if Box 4b is checked) The entire Disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein. | 13. <input type="checkbox"/> Certified Copy of Priority Document(s) |
| | 14. <input type="checkbox"/> Deletion of Inventor(s) Signed statement attached deleting inventor(s) named in the prior application. |
| 6. <input checked="" type="checkbox"/> Application Data Sheet [Total Pages 3] | 15. <input type="checkbox"/> CD in duplicate for large table or computer program. |
| 7. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Paper Copy (identical to computer copy) <input type="checkbox"/> CD (identical to computer copy) <input type="checkbox"/> Statement verifying identity of above copies | 16. <input type="checkbox"/> Other: |
| 17. <input checked="" type="checkbox"/> If a CONTINUING APPLICATION , amend the specification by inserting on page 1, before the first line, the sentence: -This is a <input checked="" type="checkbox"/> continuation of prior application U.S. Serial No. 09/660,820, filed on September 13, 2000, which is a continuation of U.S. Serial No. 09/045,461, filed on March 20, 1998, now U.S. Patent No. 6,158,482, which is a continuation-in-part of U.S. Serial No. 08/569,919 filed December 8, 1995, now U.S. Patent No. 5,931,160. Priority to the above application(s) is claimed under 35 U.S.C. 120. Prior application information: Examiner: <u>Not yet assigned</u> . Group/Art Unit: <u>3761</u> . | |
| 18. <input type="checkbox"/> Priority - 35 U.S.C. 119 <input type="checkbox"/> Priority of application Serial No. _____ filed on _____ in _____ is claimed under 35 U.S.C. 119. <input type="checkbox"/> The certified copy has been filed in prior U.S. application Serial No. _____/_____ on _____. <input type="checkbox"/> The certified copy will follow. | |

| | |
|---|--|
| CORRESPONDENCE ADDRESS | SIGNATURE BLOCK |
| Direct all correspondence to: Patent Administrator Testa, Hurwitz & Thibault, LLP High Street Tower 125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100 | Date: August 14, 2001 Reg. No. 44,244 Tel. No.: (617) 248-7044 Fax No.: (617) 248-7100 Respectfully submitted, <i>Ronda P. Moore, D.V.M.</i> Ronda P. Moore, D.V.M. Atty/Agent for Applicant(s) Testa, Hurwitz & Thibault, LLP High Street Tower 125 High Street Boston, MA 02110 |

FEE TRANSMITTAL

FY 2001

Complete if Known

| | |
|---------------------------|------------------|
| Application Serial Number | Not yet assigned |
| Filing Date | Herewith |
| First Named Inventor | Biondi |
| Group Art Unit | Not yet assigned |
| Examiner Name | Not yet assigned |
| Attorney Docket No. | CPC-003CPCN2 |

METHOD OF PAYMENT

1. ☒ Payment Enclosed:
☒ Check ☐ Money Order ☐ Other
2. ☒ The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531.
☐ Required Fees (copy of this sheet enclosed).
☒ Additional fee required under 37 CFR 1.16 and 1.17.
☒ Overpayment Credit.
3. ☒ Applicant claims small entity status.

FEE CALCULATION

1. FILING FEE

Large Entity

| Fee (\$) | Fee Description | Fee Paid |
|----------|------------------------|----------|
| 710 | Utility filing fee | \$710.00 |
| 320 | Design filing fee | |
| 150 | Provisional filing fee | |

| | Number Filed | Number Extra | Rate | Amount |
|--------------|--------------|--------------|--------------|--------|
| Total Claims | 10 | - 20 = 0 | x \$ 18.00 = | \$0.00 |

| | | | | |
|--------------------|---|---------|--------------|--------|
| Independent Claims | 2 | - 3 = 0 | x \$ 80.00 = | \$0.00 |
|--------------------|---|---------|--------------|--------|

☐ Multiple Dependent Claim(s), if any \$270.00 =

TOTAL: \$710.00
 SMALL ENTITY DISCOUNT: -\$355.00
 SUBTOTAL (1) (\$) \$355.00

2. AMENDMENT CLAIM FEES

| Claims Remaining After Amend. | Highest No. Previously Paid For | Present Extra | Rate | Fee Paid |
|---|---------------------------------|---------------|--------------|----------|
| Total 28 | - 20 = | 8 | x \$ 18.00 = | \$144 |
| Indep. 11 | - 3 = | 8 | x \$ 80.00 = | \$640 |
| <input type="checkbox"/> First Presentation of Multiple Dep. Claim + \$270.00 = | | | | |

TOTAL: (\$) 784
 SMALL ENTITY DISCOUNT: (\$) -392
 SUBTOTAL (2) (\$) 392

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity Fee (\$) | Small Entity Fee (\$) | Fee Description | Fee Paid |
|-----------------------|-----------------------|--|----------|
| 130 | 65 | Surcharge - late filing fee or oath | |
| 50 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 130 | 130 | Non-English specification | |
| 2,520 | 2,520 | For filing a request for reexamination | |
| 110 | 55 | Extension for reply within first month | |
| 390 | 195 | Extension for reply within second month | |
| 890 | 445 | Extension for reply within third month | |
| 1,390 | 695 | Extension for reply within fourth month | |
| 1,890 | 945 | Extension for reply within fifth month | |
| 310 | 155 | Notice of Appeal | |
| 310 | 155 | Filing a brief in support of an appeal | |
| 270 | 135 | Request for oral hearing | |
| 130 | 130 | Petitions to the Commissioner | |
| 50 | 50 | Petitions related to provisional applications | |
| 180 | 180 | Submission of Information Disclosure Statement | |
| 710 | 355 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 710 | 355 | For each additional invention to be examined (37 CFR 1.129(b)) | |

Other fee (Specify)

Other fee (Specify)

SUBTOTAL (3) (\$)

SUBTOTAL (1) \$355.00

SUBTOTAL (2) \$392.00

SUBTOTAL (3)

TOTAL (\$) 747.00

CORRESPONDENCE ADDRESS

Direct all correspondence to:

Patent Administrator
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 High Street Tower-125 High Street
 Boston, MA 02110
 Tel. No.: (617) 248-7000
 Fax No.: (617) 248-7100

SIGNATURE BLOCK

Date: August 14, 2001
 Reg. No.: 44,244
 Tel. No.: (617) 248-7044
 Fax No.: (617) 248-7100

Respectfully submitted,

Ronda P. Moore, D.V.M.
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